

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JOSHUA LISTER,

Plaintiff,

VS.

EVANS LAW ASSOCIATES, PC,

Defendant.

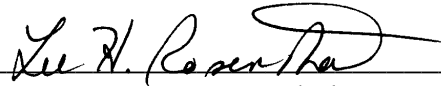
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CIVIL ACTION NO. H-10-0935

**ORDER**

This case arises from alleged debt-collection activities. The plaintiff, Joshua Lister, sued in March 2010, alleging that the defendant, Evans Law Associates, P.C., violated the Fair Debt Collection Act, 15 U.S.C. § 1692 *et seq.*, as well as state statutes. Evans Law Associates filed a motion to dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure, arguing that the complaint failed to present sufficient factual allegations and instead merely alleged the statutory elements. (Docket Entry No. 6). In response, Lister filed an amended complaint that includes factual allegations supporting his claims. (Docket Entry No. 9). No later than **June 18, 2010**, the defendant must advise the court whether the amended complaint overcomes the deficiencies identified in the motion to dismiss and, if not, must explain what deficiencies remain.

SIGNED on June 7, 2010, at Houston, Texas.



Lee H. Rosenthal  
United States District Judge